



City of Annapolis

Department of Planning & Zoning

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Planning Commission

February 20, 2014

The Planning Commission (PC) of the City of Annapolis held its regular meeting on February 20, 2014 in City Council Chambers. **Chair** Dr. Harris called the meeting to order at 7:04p.m.

Commissioners Present: **Chair** William Herald, **Vice Chair** David Iams, Dr. Eleanor Harris, Robert Waldman, David DiQuinzio

Staff Present: Timothy Murname, Tom Smith, Jacquelyn Rouse

Mr. DiQuinzio moved approval of the agenda as amended to include an Item D, Miscellaneous. Mr. Iams seconded the motion. **Passed 5-0.**

B. APPROVAL OF MINUTES

January 16, 2014 Meeting Minutes

Dr. Harris moved approval of the January 16, 2014 minutes as amended. Mr. DiQuinzio seconded the motion. **Passed 5-0.**

C. PUBLIC HEARINGS AND DELIBERATIONS

1. Ordinance #O-1-14

Ms. Rouse provided a revised staff report for Ordinance O-1-14 and explained that this ordinance proposes to modify the C1A zoning district to allow single family attached dwellings that were in existence on June 20, 1994 to be deemed a conforming use. The legislation is written to allow the alteration and expansion in accordance with the bulk regulations for the C1A zoning district. Furthermore, the Ward 1 Alderman introduced and supported the ordinance. Staff supports the ordinance and recommends approval subject to the modification.

Public testimony opened at 7:14pm and those speaking on the application are listed below.

| Name | Address | In Favor | In Opposition | Commented On |
|----------------|-----------------|----------|---------------|--------------|
| Alderman Budge | Ward 1 | X | | |
| Amy Shields | 30 Fleet Street | X | | |

No one else from the public spoke in favor or opposition to the application so **Chair** Herald declared the public hearing closed at 7:21pm.

Chair Herald accepted the following exhibits into the record.

| Exhibit Number | Board of Appeals Exhibit Type |
|----------------|---|
| 1 | Staff Memorandum dated February 14, 2014 with attachments |

Mr. Waldman moved approval of Ordinance O-1-14 as detailed in the staff memorandum dated February 14, 2014. Dr. Harris seconded the motion. **Passed 5-0.**

Findings

Mr. Waldman moved approval of the Ordinance O-1-14 findings as submitted. Dr. Harris seconded the motion. **Passed 5-0.**

2. The Enclave on Spa, #PD2013-001

Mr. Smith presented the dual application for a residential planned development and preliminary record plat for the Enclave on Spa project. The applicant is Spa Road Partners, LLC and the property owners are Phillip and Lilly Clow. He referred to a letter from Dr. Nash that addresses the applicant paying a fee in lieu of the MPDU requirement. The property fronts on Spa Road, consists of 3.8-acres and a majority of the property is zoned R3 with a small portion of the rear property zoned R2. The existing uses are nonconforming and the proposed use is redevelopment of the site to include 36 attached townhouses. He went over how the application complies with the code requirements and noted that the applicant is requesting a 20% tolerance of the maximum building height which staff supports. There is a net improvement for the environment because the application proposes stormwater management that currently does not exist on the site. He discussed several of the 30 conditions placed on the application and recommends approval of the application subject to the 30 conditions. Staff requested that the public hearing remain opening until March 6, 2014 to satisfy the posting requirement because the sign had fallen as a result of the inclement weather.

Mr. Hyatt, Attorney, explained that the applicants are seeking a planned development approval in addition to the preliminary site design plan approval. The property has been owned by the applicants for many years and the structure has been used in an industrial capacity. This is an opportunity to remove the structure and restore it to something that is compatible with the community. He reiterated that the record will remain open to satisfy the posting requirement. He explained that the plans currently show a 16-foot width road and this is not acceptable to the Fire department so would need some flexibility to locate an alternative for the other 4-foot requirement. He pointed out that some of the units will have single car garages.

Mr. Dixon, Owner, explained that the goal is to redevelop an infill site with a residential use that is consistent with surrounding neighborhood thereby replacing a commercial/industrial nonconforming use. He addressed some of the surrounding uses specifically noting the Gentry and Spindrift communities. He has reviewed the 30 conditions and expressed concern with Condition 18 but agreed to work with Mr. Smith regarding resolution.

Ms. Pat Fox, Community Planner, Urban Designer and Landscape Architect, was asked to assist the development team in May 2012 with developing a community plan to satisfy all of the City requirements. Her role was to prepare the site layout and landscape architectural design as well as collaborate with civil engineering group. She addressed how this application complies with the Comprehensive Plan and believes that the plan also satisfies the compatibility code requirements.

Mr. Terry Schuman, Bay Engineering, was retained to work on this project in 2012 and his firm prepared the civil engineering drawings as well as the site surveys. He concurs with Mr. Smith's presentation on the bulk/densities and agrees that the application satisfies the code requirements for bulk/densities. He has prepared some preliminary plans for stormwater management for this site. He addressed how the proposal will address the Fire Department's requirement for a 20-foot wide road without negatively impacting the green space.

Public testimony opened at 8:54pm and those speaking on the application are listed below.

| Name | Address | In Favor | In Opposition | Commented On |
|--------------|-----------------|-----------------|----------------------|---------------------|
| Brad Mary | 63 Gentry Court | X | | |
| Ed Dockery | 8 Spinners Way | X | | |
| Carole Allen | 8 Gentry Court | X | | |
| Carol Reza | 35 Gentry Court | X | | |

The public hearing was continued to the March 6, 2014 meeting.

Chair Herald accepted the following exhibits into the record.

| Exhibit Number | Board of Appeals Exhibit Type |
|----------------|---|
| 1 | Staff Memorandum dated February 14, 2014 with attachments |
| 2 | Applicant's Exhibit Packet "1-15" |

D. Miscellaneous

Chair Herald noted that the Transportation Board has requested a work session with the Planning Commission that has been scheduled for the March 6, 2014 meeting following the normal business.

Chair Herald has contacted Mr. Arason who has agreed to a luncheon on 2/27/14 at noon at Carroll's Creek.

Mr. Waldman discussed the opportunity of the demolition of "The Whiskey" with Dr. Nash. The PC will be receiving a copy of a letter she wrote to the State Highway Administration that responded positively to the letter.

E. ADJOURNMENT

Mr. DiQuinzio moved to adjourn the meeting at 9:49pm. **Vice Chair** Iams seconded the motion.
Passed 5-0.

The next meeting is scheduled for March 6, 2014.

Tami Hook, Recorder